

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

WILLIAM A. **BERTHIAUME** and NAREAK DOUK
Junior Party
(Patent 6,110,146),

v.

THOMAS J. **HOLMAN**, LOUIS G. ELLIS,
GREGORY K. OLSON, LINDA R. LORENTZEN CORNELIUS,
RICHARD J. TRAXLER and SCOTT M. HANSON
Senior Party
(Application 09/737,118).

Patent Interference No. 105,519 (SCM)
(Technology Center 3700)

Before BARRETT, LEE, and MEDLEY, *Administrative Patent Judges*.
MEDLEY, *Administrative Patent Judge*.

Judgment – Bd.R. 127

The preliminary motions filed in the interference have been decided (Paper 25). Berthiaume did not file a priority statement and represented to the Board that there would not be a priority contest (Paper 19 at 2). Judgment is entered against Berthiaume.

Accordingly, it is

ORDERED that judgment on priority as to Count 1 (Paper 1 at 4) the sole count in the interference is awarded against junior party WILLIAM A. BERTHIAUME and NAREAK DOUK.

FURTHER ORDERED that WILLIAM A. BERTHIAUME and NAREAK DOUK is not entitled to a patent containing claims 1-9 (corresponding to Count 1) of U.S. patent 6,110,146.

FURTHER ORDERED that a copy of this paper shall be made of record in the files of application 09/737,118 and U.S. Patent 6,110,146.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and Bd.R. 205.

/Lee E. Barrett/)
LEE E. BARRETT)
Administrative Patent Judge)

/Jameson Lee /) BOARD OF PATENT
JAMESON LEE) APPEALS AND
Administrative Patent Judge) INTERFERENCES

/Sally C. Medley/)
SALLY C. MEDLEY)
Administrative Patent Judge)

cc (via e-mail):

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